

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



February 23, 2004

Mr. William Maher
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: Request for Extension of Time to File Report

Dear Mr. Maher:

In FCC 03-196, released August 11, 2003, the FCC granted a request by the California Public Utilities Commission (CPUC or California) to raise the contamination threshold rule. In its order, the FCC also directed the CPUC to file with the FCC a report "that evaluates the effectiveness of this waiver". The FCC directed that the CPUC report be submitted by April 30, 2004. By this letter, California requests an extension of time until June 1, 2004 of the due date for the 25% contamination threshold report, for the reasons set forth below.

The report to the FCC will be prepared by the CPUC's Telecommunications Division (TD). To ensure that the report is completely accurate based on all available information, TD staff would like to use the most current Numbering Resource Utilization Forecast (NRUF) reports to evaluate the effectiveness of the waiver. The June 2003 NRUF reports will not account for the effects of the waiver, because the FCC order did not issue the waiver until August 2003. The CPUC implemented the waiver in the third and fourth quarters of 2004. Some of the effects of increasing the contamination level for pooled blocks will show in the December 2003 NRUF data. Carriers must submit their December 2003 NRUF reports to the North American Numbering Plan Administrator (NANPA) no later than February 1, 2004. The NANPA in turn will compile the NRUF data, but will not send a copy of the compiled list of NRUF reports to the states until the week of March 15. Based on past experience, TD staff does not expect to receive its copy of NRUF data until the week of March 22. This would allow TD staff only

six weeks to analyze the NRUF data, to draft and edit the report, and to conduct other activities related to preparation of the report.¹

Secondly, carriers have been directed to submit to the CPUC data regarding their block donations and returns to the 310 and 909 number pools by March 30, 2004. The CPUC established the March 30th deadline to acquire as much data as possible to analyze the effects of the waiver. Although TD staff will have a month to analyze this type of data, it will also be analyzing the NRUF reports at the same time. Further, in TD staff's experience, carriers often submit revised data because of errors in the original submission. This would delay the TD staff analysis. Similarly, should any carriers fail to produce data at all, TD staff will need time to contact those carriers to acquire the data, and then to analyze it.

For these reasons, the CPUC requests a one-month delay in the deadline for California to submit the required report on the 25% contamination threshold waiver. The new requested due date for the report is June 1, 2004. Prior to sending this letter, I contacted Cheryl Callahan of your staff to inform her that we would be requesting this extension of time. If you have any questions, please do not hesitate to contact me at 415.703.1319, or at hmm@cpuc.ca.gov. Thank you for your attention to this matter.

Sincerely,

/s/ Helen M. Mickiewicz

Helen M. Mickiewicz
Assistant General Counsel

cc. Comr. Michael Peavey
Comr. Loretta Lynch
Cheryl Callahan, FCC
Cherrie Conner, CPUC

¹ On more than one occasion in the past, NANPA has submitted a revised version of the original compiled list of NRUF data at a later date to account for errors. Should that occur for the February NRUF, the CPUC would be further pressed for time to meet the April 30th deadline.